BEFORE THE HIGH COURT OF JUDICATURE OF

CHHATTISGARH AT BILASPUR

Single Bench

WRIT PETITION No. 1748 /2006

PETITIONER : Ashwani Manikpuri, aged about 22 years, S/o. Late B.D. Manikpuri, Jawahar Nagar, Durg (C.G.).

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through-the Secretary, Department of General Administration, Dau Kalyan Singh Bhawan, Mantralay, Raipur (C.G.)
2. The Secretary, Government of Chhattisgarh, Department of Water Resources, D.K.S. Bhawan, Raipur (C.G.)
3. The Engineer-in-chief, Department of Water Resources, Raipur (C.G.)
4. The Collector, Distt. Durg (C.G.)
5. The Superintending Engineer, Department of Water Resources Tandula Jal Sansadhan, District - Durg (C.G.).

P.R. No. 839/06
Presented by Shri Sanjay Kr. Agrawal
dated 15/2/06

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6. The Sub Divisional Officer, Department of Water Resources Tandula Jal Sansadhan, Sub Division No.3, District Durg (C.G.)

7. The State of Madhya Pradesh through -the Secretary, Department of General Administration, Vallabh Bhawan, Bhopal (M.P.)

8. Union of India, through the Chief Secretary, Department Of Personal Training and Public Grievances (State Reorganization Cell) Shastri Marg, New Delhi.

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक
W.P.No. 1748/06
वाद संख्या क्रमांक सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

6-4-2006

Shri Ashok Soni, Advocate for the petitioner.

Shri Vinay Pandey, Panel Lawyer, for the State.

Thakur Vijay Singh, Addl. Solicitor General for the Union of India.

With consent, heard finally.

This case relates to compassionate appointment. Learned counsel for the petitioner stated that petitioner's father who was working as Assistant Grade II in the Water Resources Department died on 15-3-1999 i.e. after 1-11-1997 and not earlier. It is further submitted that in batch of cases bearing W.P. No.1322/2002 involving the same question orders have been passed by this Court on 20/12/2005. He prays that similar orders may be passed in this case also.

Learned counsel for the State does not dispute the above fact and states that the State of Chhattisgarh has taken a decision to consider the cases of dependants of those employees who died on or after 1/11/1997 strictly in accordance with the policy prevalent at that time. He however submits that four months time for issuing necessary orders may be given.

In view of the submissions made by learned counsel appearing for the parties, without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the State of Chhattisgarh and the authorities concerned to consider and decide the case of the petitioner in accordance with the policy prevalent at the time of death of the employee concerned. If the petitioner found eligible, appointment orders will be issued as early as possible preferably within 4 months from the date of production/receipt of a copy of this order. The petitioner is also directed to render due co-operation to the authorities.

With the aforesaid observations, this petition stands disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

Patel

[पीछे देखिये